



Dkt. 04044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SATORU KIKUCHI et al

Serial No. 10/812,920

Filed: March 31, 2004

For: LIGHT EMITTING DIODE DEVICE

Group Art Unit: 2875

Examiner: Z. Bennett

RESPONSE

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The following remarks are submitted in response to the Office action mailed September 25, 2006.

Claim 1 has now been rejected under 35 USC 102(e) as anticipated by Lin.

The rejection makes reference to Figure 8 of Lin, which is alleged to show a circuit substrate 8, a lower reflection film 71 provided on an upper surface of the circuit substrate, an LED 51 mounted on the upper surface of the substrate, a resin layer 4 encapsulating LED 51 and lower reflecting film 71, and an upper reflection layer 6 formed by metal opposite the LED and which is formed into a thin film (shown in Figure 3) to transmit a portion of light rays in a forward direction and reflect another portion of the light rays emitted by the LED. The Office action argues that Lin teaches an upper reflection layer which is capable of transmitting light and the Examiner has concluded that the existence of these dielectric layers does not hinder the functionality of the